

REMARKS

Claims 1-27 are pending in the above-identified application. Claims 18-26 have been allowed. In the Office Action of October 20, 2003, the Examiner made the following dispositions:

- 1.) Objected to claims 2 and 16 under §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.
- 2.) Rejected claims 2 and 16 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- 3.) Allowed claims 1, 3-15, and 17-27.

Applicants address the Examiner's dispositions below.

1.) Objections to Claims 2 and 16:

Claims 2 and 16 were rejected under 37 CFR §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claims. Applicants have amended claims 2 and 16 to be placed in proper dependent form. Accordingly, Applicants respectfully submits the objection has been overcome and requests that it be withdrawn.

2.) Rejected claims 2 and 16:

Claims 2 and 16 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applications regard as the invention. Claim 1 discloses a solid electrolyte battery comprising:

- (1) a first electrode including a first collector, and a first active material layer formed on one surface of said first collector with an outer peripheral edge portion of said first collector remaining as a collector exposed portion;

- (2) a second electrode including a second collector and second active material layers formed on both surfaces of said second collector; and
- (3) a solid electrolyte interposed between said first electrode and said second electrode;
- (4) wherein said second electrode is held in said first electrode in such a manner that said first active material layer is opposed to each of said second active material layers via said solid electrolyte, and is sealed in said first electrode by joining said collector exposed portion of said first electrode to each other.

Newly amended claim 2 discloses a solid electrolyte battery according to claim 1,

- (1) comprising a pair of first electrodes, and said second electrode is held between said first electrodes.

Accordingly, claims 1 and 2 do not contradict each other and claim 2 is definite.

Accordingly, Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

Similarly, claim 14 discloses a method of producing a solid electrolyte battery, comprising the steps of:

- (1) forming a first active material layer on one surface of a first collector with an outer peripheral edge portion of the first collector remaining as a collector exposed portion, to produce a first electrode;
- (2) forming second active material layers on both surfaces of a second collector, to produce a second electrode;
- (3) holding the second electrode in the first electrode in such a manner that the first active material layer is opposed to each of the second active material layers via a solid electrolyte; and
- (4) joining the collector exposed portion of the first electrode, in which the second electrode has been held in said holding step, to each other, to seal the second electrode in the first electrode.

Newly amended claim 16 discloses a method of producing a solid electrolyte battery according to claim 14,

- (1) wherein a pair of first electrodes are produced in said first producing step, and
- (2) in said holding step, the second electrode is held between the pair of first electrodes.

Accordingly, claims 14 and 16 do not contradict each other and claim 16 is definite. Accordingly, Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

3.) Allowed claims 1, 3-15, and 17-27:

Applicants thank the Examiner for allowing claims 1, 3-15, and 17-27.

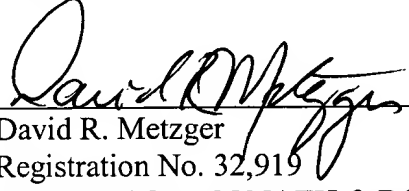
CONCLUSION

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: February 6, 2004

By: _____


David R. Metzger

Registration No. 32,919

SONNENSCHN NATH & ROSENTHAL LLP

P.O. Box 061080

Wacker Drive Station, Sears Tower

Chicago, Illinois 60606-1080

(312) 876-8000